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Serial No. 09/716,440   **Art Unit:** 2662

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend the specification.

2. Thank the Examiner for the indication of allowable subject matter in claims 8-9, 26, 27, 42, 43, 56, 57, 71, 72, 85, 86, 97 and 98[1].

3. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 1-7, 10-25, 28-41, 44-55, 58-70, 73-84, 87-96 and 99-105 are rejected under 35 USC §103(a) as being unpatentable by U.S. Patent 6,731,649 to Silverman in view of U.S. Patent 6,075,798 to Lyons et al. All prior art rejections are respectfully traversed for at least the following reasons.

U.S. Patent 6,731,649 to Silverman cannot serve as a foundation for the prior art rejection. It is true that Silverman's unit 206 packs AAL1/2 cells into UDP over IP frames. But, importantly, before packing, Silverman removes the AAL1/2 cell header. That the Silverman AAL1/2 cell header is removed is clearly evident from Fig. 3, box 308; col. 6, line 45; col. 7, line 27; col. 15, line 41, just to cite a few examples.

Silverman's removal of the cell header demolishes the rejection. After all, the LI fields and the UUI fields which are involved in Applicants' claims are fields in the AAL2 header. As stated in the specification, as illustrated in Fig. 3 of U.S. Patent 6,075,798 to

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[1]   Claims 8-9, 26, 27, 42, 43, 56, 57, 71, 72, 85, 86, 97 and 98 were indicated as being dependent upon a rejected base claim, but as being allowable if rewritten in

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Lyons et al, and as well known by the person skilled in the art, the AAL2 packet _header_ includes an eight bit channel identifier (CID), a six bit length indicator (LI), a five bit User-to-User indicator (UUI), and five bits of header error control (HEC).

No reference – not Lyons or anyone else -- would suggest to Silverman any particular use of fields (LI and UUI fields) of a header that Silverman had already removed!

Moreover, the Office Action totally misconstrues and misapprehends U.S. Patent 6,075,798 to Lyons et al. The Office Action points to col. 4, lines 6 – 13 of Lyons, which is nothing more than a rudimentary discussion of the conventional LI field (Note that Lyons begins his tutorial of AAL2 header in col. 3, line 54, and describes each field in seriatim).

In so pointing, the Office Action notes that when the value of the LI field of the AAL2 header points beyond the end of the current _ATM cell_, the packet is _split between cells_. It is conventional for _AAL2 cells_ to be split _between ATM cells_ in this manner, and please carefully note that it is a splitting of AAL2 cells _between ATM cells_ that Lyons describes. By contrast, Applicant is splitting (e.g., segmenting) frames of _user data over AAL2 packets_, and strategically using fields (e.g., LI and/or UUI) of the AAL2 header to facilitate reassembly of the user data packet.

Therefore, Lyons' basic tutorial about LI fields forms no basis for denying patentability of Applicants' claims. Nor does any other aspect of U.S. Patent 6,075,798 to Lyons et al pose a patentability threat, as explained below.

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independent form including all limitations of the base claim and any intervening claims (see enumerated paragraph 15 of the Office Action).

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Lyons' purported contribution stems from a supposed recognition that, in some applications, the RES field of the AAL2 header may be too small (col. 7, line 39+). The RES referred to by Lyons is the AAL2 UUI header field (col. 3, line 58 – 59). Lyons' objective is to extend the AAL2 RES field using an a priori mapping, as described in col. 7, lines 45+. Four bits of the extended RES (i.e., UUI) field convey a sequence number (col. 7, line 56+). None of Applicants' independent claims involve conveyance of a sequence number in a UUI field.

As explained above, neither U.S. Patent 6,731,649 to Silverman nor U.S. Patent 6,075,798 to Lyons et al support the erroneous rejection, nor are they combineable. Accordingly, the prior art rejection should be withdrawn and all claims allowed.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.
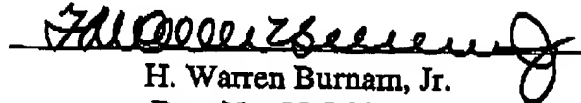
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Respectfully submitted,

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